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PATENTAttorney Docket No. 896034605001
B. Webb
4-2-03**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED**

In re application of : Elizabeth K. Barber JAN 08 2002

Serial No. : 09/966,264 TECH CENTER 1600/2900

Filed : September 28, 2001

For : **GENE EXPRESSION CONTROL DNA ELEMENT AND ASSOCIATED PROTEIN**

Group Art Unit : Unknown

Examiner : Unknown

LETTERCommissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a copy of a prior art publication (Simmons, D. and B. Seed, *J. Immunol.* 141: 2797-2800, 1989) that was listed on PTO Form 1449, but inadvertently omitted from the Information Disclosure Statement filed with the above-identified patent application.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231
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By: B. Arndt